

Attorney Docket No.: 98.22US

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Najdek, et al.

Serial No.: 09/074,051

Group Art Unit: 1615

Filed: May 7, 1998

Examiner: To Be Assigned

For: **DUAL PHASE COSMETIC COMPOSITION**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references which he believes may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references are listed in PTO form 1449 which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is also enclosed.

The references are as follows:

1. Polovsky et al., United States Patent No. 5,138,043
2. Polovsky et al., United States Patent No. 5,384,334
3. Ellis et al., United States Patent No. 5,405,878
4. Touzan et al., United States Patent No. 5,468,496
5. Zabotto, et al., United States Patent No. 5,165,917
6. Shah et al., United States Patent No. 4,980,155
7. Grollier, et al., United States Patent No. 4,438,095
8. Barker, et al., United States Patent No. 4,335,103

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

This Information Disclosure Statement is being submitted before the first Office Action on the merits of this application. Therefore, no fee is believed due.

Respectfully submitted,

Date  
Enclosures

July 10, 1998

Karen A. Lowney  
Karen A. Lowney (Reg. No. 31,274))

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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

98.22US

SERIAL NO.

09/074,051

APPLICANT(S)

NAJDEK, ET AL.

FILING DATE

MAY 7, 1998

GROUP

1615

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,138,043	8/11/92	POLOVSKY, ET AL.			
	5,384,334	01/24/95	POLOVSKY, ET AL.			
	5,405,878	04/11/95	ELLIS, ET AL.			
	5,468,496	11/21/95	TOUZAN, ET AL.			
	5,165,917	11/24/92	ZABOTTO, ET AL.			
	4,980,155	12/25/90	SHAH, ET AL.			
	4,438,095	03/20/84	GROLLIER, ET AL.			
	4,335,103	06/15/82	BARKER, ET AL.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.